

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**IN RE: **GILBERTO FELIX HIDALGO**
SSN xxx-xx-4775CASE NO: **20-01784-MCF**

Debtor(s)

Chapter 13**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$525.00** Outstanding (Through the Plan): **\$3,475.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00****Liquidation Value: \$0.00 Estimated Priority Debt: \$5,960.39****If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00**With respect to the (amended) Plan date: **Jul 02, 2020 (Dkt 15)** **Plan Base: \$42,600.00****The Trustee:** ☐ **DOES NOT OBJECT** ☒ **OBJECTS** **Plan Confirmation** Gen. Uns. Approx. Dist.: **0.4 %****The Trustee objects to confirmation for the following reasons:****[1325(a)(1)] Self-employed Business Debtor - Failure to comply with her/his/their duties. [11 U.S.C.1302(b), 704(a)(2)-(7), and 704(a)(9)]****Debtor has failed to submit post petition MORs for evaluation along with pre petition bank statements.****[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].****Debtor has failed to submit evidence of having filed 2018-2019 1040PR tax return.****[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]****- Fails to increase plan payments after concluding secured loan(s) payments.****The plan fails to include a step up upon the maturity date of the vehicle loan being paid directly to BPPR (April 2024 per POC).*****OTHER COMMENTS / OBJECTIONS****Asoc. Chalets de la Playa, and Chalets de la Playa Este, alleged secured creditors provided for in the plan, are yet to file their claims. Evidence to support the secured treatment provided for creditors must be submitted.****CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: July 04, 2020

/s/ Nannette Godreau, Esq.

Last Docket Verified: 16 Last Claim Verified: 7 CMC: